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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 10/027,233  | 12/27/2001  | Katsutoshi Nakamura  | Q67897              | 9112             |
| 7590  | 01/31/2006  |                      | EXAMINER            |                  |
| SUGHRUE MION, PLLC<br>2100 Pennsylvania Avenue, NW<br>Washington, DC 20037-3213 |             |                      | KHOLOSSI, NIMA      |                  |
|   |             | ART UNIT             | PAPER NUMBER        | 2132             |

DATE MAILED: 01/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                        |                      |  |
|------------------------------|------------------------|----------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b> | <b>Applicant(s)</b>  |  |
|                              | 10/027,233             | NAKAMURA, KATSUTOSHI |  |
|                              | <b>Examiner</b>        | <b>Art Unit</b>      |  |
|                              | Nima Khomassi          | 2132                 |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 12 December 2005.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-23 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-23 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

|  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

This Office action is in regards to Application No. 10,027,233 and is in response to communications: application filed 12/27/01, amendment filed 12/12/05. The section 112 2<sup>nd</sup> paragraph rejection for claims 1-18 are withdrawn. Claims 7, 16-18 are amended. Claims 19-23 are new. Claims 1-23 are now pending.

The Examiner requests, in response to this Office action, a showing support for the following: claim language found in the present independent claims 1, 14-18. Claim language added to any present claims on amendment and any new claims. That is, indicate support for claim language by specifically pointing to page(s) and line no(s) in the specification and/or drawing figure(s). This will assist in prosecuting the application.

When responding to the Office action, Applicant is advised to clearly point out the patentable novelty the claims present in view of the state of the art disclosed by the reference(s) cited or the objection made. A showing of how the amendments avoid such references or objections must also be present. See 37 C.F.R. 1.111(c).

### ***Response to Arguments***

Applicant's arguments with respect to claims 1-18 have been considered but are moot in view of the new grounds of rejection.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-23 rejected under 35 U.S.C. 102(b) as being anticipated by Leppek; U.S. Patent No. 5,974,149, filed April 3, 1998 and patented October 26, 1999.

As per claim 1, 14-18, detecting, on the basis of user's history of access requests, the extent of user's interest in the information to be provided and/or changes in the interest; and allowing the level of access permission currently assigned to the user to be changed to another level according to the detected extent of user's interest and/or changes in the interest (col. 2, last paragraph into col. 3; also see col. 6 first full paragraph; based on user's "excessive" activity on a particular system resource (i.e. user history), the access permission is changed).

As per claim 2, the method according to claim 1, further comprising the steps of: holding identification information settable by each user for identifying the user; and asking the user as the source of an access request to input the identification information so as to define such a permission condition that the user is normally identified using the identification information, wherein said detection step has detection of the extent of user's interest and/or changes in the interest on the basis of user's history after the last setting of the identification information (col. 5, lines 24-38).

As per claim 3, the method according to claim 2, further comprising the step of asking the user as the source of the access request to update the identification information when the detected extent of user's interest and/or changes in the interest meet predetermined conditions (col. 6 first full paragraph).

As per claim 4, the method according to claim 3, further comprising the step of changing the level of access permission currently assigned to the user as the source of the access request to a level narrower in scope than that defined by the current level when the identification information has not been updated (col. 6 first full paragraph).

As per claim 5, the method according to claim 2, further comprising the step of asking the user as the source of the access request to update the identification information when the detected extent of user's interest and/or changes in the interest show that the number of times access is requested exceeds a predetermined number of times (col. 2, last paragraph into col. 3; also see col. 6 first full paragraph).

As per claim 6, the method according to claim 5, further comprising the step of changing the level of access permission currently assigned to the user as the source of the access request to a level narrower in scope than that defined by the current level when the identification information has not been updated (col. 6 first full paragraph).

As per claim 7, the method according to any one of claim 1, further comprising the steps of: assigning each user, in exchange for entries of information related to the user, identification information for identifying the user and a level of access permission defined according to the contents of the information entered; and asking the user as the source of an access request to input the identification information assigned so as to

define an access condition that the user is normally identified using the input identification information, wherein said detection step has detection of the extent of user's interest and/or changes in the interest on the basis of user's history after the last setting of the identification information (col. 4, lines 49-54).

As per claim 8, the method according to claim 7, further comprising the step of asking the user as the source of the access request to enter user's information again when the detected extent of user's interest and/or changes in the interest meet predetermined conditions (col. 4, last paragraph into col. 5).

As per claim 9, the method according to claim 8, further comprising the step of changing the level of access permission currently assigned to the user as the source of the access request to a level narrower in scope than that defined by the current level when the user has not entered user's information in response to said step of asking the user to enter the information again (col. 6 first full paragraph).

As per claim 10 and 13, comprising the step of deleting the identification information assigned to the user when the user has not entered user's information in response to said step of asking the user to enter the information again (col. 6 first full paragraph).

As per claim 11, the method according to claim 7, further comprising the step of asking the user as the source of the access request to enter user's information again when the detection result of the extent of user's interest and/or changes in the interest show that a predetermined number of days have elapsed since the last access request (col. 2, second full paragraph).

As per claim 12, the method according to claim 11, further comprising the step of changing the level of access permission currently assigned to the user as the source of the access request to a level narrower in scope than that defined by the current level when the user has not entered user's information in response to said step of urging the user to enter the information again (col. 6 first full paragraph).

As per claim 19-23, extent of said user's interest comprises an identifiable level of desire of a user to access said information (col. 2, last paragraph into col. 3; also see col. 6 first full paragraph; based on user's "excessive" activity on a particular system resource (i.e. user history), the access permission is changed).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications should be directed to Nima Khomassi whose telephone number is (571) 272-3775. The examiner can normally be reached Monday-Friday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron Jr., can be reached at (571) 272-3799.

The fax number for Formal or Official faxes to Technology Center 2100 is 571-273-8300. On July 15, 2005, the Central Facsimile (FAX) Number changed from 703-872-9306 to 571-273-8300. As of September 15, 2005, the former is no longer in service; the latter is the only facsimile number recognized for centralized delivery.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for

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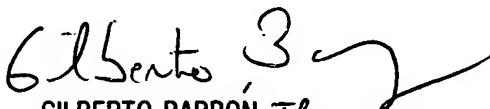
published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have any questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Nima Khomassi  
January 23, 2006  
Art Unit #2132



Gilberto, 3-2  
GILBERTO BARRON JR.  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100